

**Court of Over and Terminer.**

**Case of Polly Bodine.**  
Monday morning, his Honor Judge Kent, assisted by the County Judges, — Ward, Richard D. Little, Daniel L. Clawson, Nicholas Crocheron and Lawrence H. Catelyon opened this Court and immediately proceeded with business. The first thing done by Judge Kent was

At that hour there was a punctual attendance of all parties, judges, counsel, clerics and spectators. The latter were seated at first; lastly came the witnesses, who sat down as persons might be led to suppose from the remarkable nature of the principal case to be decided, and the great publicity given to it. Very much of the excitement and profound feeling, caused forth by the sad occurrence, which at first has clearly abated, now enters into the record BY OUR VERY OWN GREAT RECORDING MACHINES.

never suppose that the quiet and retired Staten Island has been echoed with the lamentations of sympathy for the victims of rape and denunciations against the author of a most foul and barbarous crime, committed within her retired precincts. The prisoner was ordered, upon which the sheriff proceeded to lead her to execute the command, in about ten minutes, she was released, leaning upon the arm of one of her counsel. A lady, who was upon the approaching figure. She was habited in a complete suit of mourning, her step was light and elastic, her face was the picture of health, and her hair was of a brown which a very thick black veil could not hide, nor could she be supposed that her position was that of a prisoner, or that she betrayed any symptoms of apprehension or confusion from the result of the impending trial.

COUNSEL for the prisoner offered a plea in abatement, on the ground that the case being set up by writ of certiorari before the Supreme Court was still in that court, and that it had not power to remand the case before this special court of Oyer and Terminer, because, by a rule of its own, motions in criminal cases must be heard in term time; that the case was not remanded by the Supreme Court, for it had been done by but one of its Judges in Albany—therefore that it would be prudent to stay proceedings until at least the

matter should be enquired into. Counsel for prosecu-  
tion replied at great length, and the argument was almost in-  
extinguishable, but of little interest, and hardly more intelligent  
than the evidence, any more than the gentlemen learned the  
law. About half past 8, it came to an end, and the  
Judge. Kent gave judgment in a brief and explicit manner, and  
his Honor sustained the jurisdiction of the Supreme Court, which,  
he was clearly of opinion, had authority to regulate the proceedings  
of subordinate courts, and to require the case to be remanded, and  
new before the court. Mr. Dr. Witt, for the defence, filed some ex-  
position with the permission of the Court.  
The jury had been produced by order of his Honor, and  
that a jury might be empanelled,  
Counsel for the defence challenged the array—  
and the court overruled the challenge, and the jury was  
sworn.

ground that the list of names put in the box was not the furnished by the town officers—that there being a newspaper published in Richmond, the clerk did not, by publishing it therein, give the regular six day's notice—that the residences and other particulars demanded by law were not specified in the list—that after the completion of the list, the Sheriff added other names thereto. [The challenge gave rise to a second technical argument based on both sides.

MR. WHITING averred that the objections to the jurisdiction were trivial, and unfit to vitiate it; for although the

The Court, after a short consultation, gave judgment and renewed the points raised, *seriatim*, all of which it regarded as untenable, except that setting forth non-compliance with the statute, by publishing in the newspaper of the county, a notice of the drawing of thirty-six jurors from the general list, six clear days before. His Honor Judge Keat, was clearly of opinion that in that instance the statute had not been complied with the like-ness of which was not in dispute.

The Court, after a few suggestions as to future proceedings, adjourned at 9 o'clock, P. M., till next day 9 A. M.

**TUESDAY MORNING, 9 o'clock.**

The Court was opened punctually at the appointed hour this morning. Mr. WHITING arose, and cited a number of cases bearing upon the decision just given to the challenge of the jury, that the Court might review the same. Judge KENT, after listening to them, considered

ed the other Judges on the bench. The result was, that the decision of the Court was adhered to, and the jurors discharged.

Mr. CLARK then made a motion that the Court should direct the Sheriff to summon a new panel of Jurors forthwith, to try the case, which was resisted by the counsel for the defence upon the ground, among others, that the case stood precisely as it did before there was any action taken in the matter, and that as there could be no trial a new list would be necessary, and the statute must be complied with in every particular, without any reference

After hearing a large number of authorities by counsel on both sides, the motion of the District Attorney was granted, and the Sheriff instructed to summon from the county at large fifty persons qualified to serve as Jurors in the case. The Court then adjourned till three in the afternoon.

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### Personal Movements.

Messrs. McKay, of Pennsylvania; Foot, of Vt., McLean and Hunt, of Michigan; Ellis, of Watford; Ral-

The Mobile papers mention the death of Judge William Hale, of that city, at the age of about 55. He was a native of Albany, and had resided more than twenty years in Mobile.

The American Republicans, of Cincinnati are going to run their own ticket for city officers at the next charter election.

Some of Mr. Van Buren's friends say he will not again return to public life, unless some unlooked for exigency in the affairs of the country, should render his service desirable.

An American Republican paper called "The American

Mr. March, late associate editor with Mr. Buckingham of the Boston Courier, has retired from his post and entered into a business more suitable to his disposition.

Mr. Fitzgerald has been superceded as editor of the (Catholic) Boston Reporter.

Gov. Thomas is on a visit to the iron and coal region of Allegany county.

The Princeton Whig has enrolled its name on the can-

The house of the Hon. Marcus Morton, Taunton, to fire on Monday, but little damage was done.

John Tyler, Jr. is announced as a candidate for Congress in the first District of Virginia.

The body of Mr. W. H. Whitely, who had been missing seventeen days, was washed ashore at South Boston Friday.

The Circleville Herald states that, a few days since Mr. William Start, of that county, came to his death, ne

**LOSS BY FIRE.**—We learn, that on Wednesday of last week, the granary and carriage house of Alfred Disbrow of this town, was discovered to be on fire, and was entirely consumed, with most of its contents, comprising a large quantity of corn in the

**MACRELL FISHERY OF HINGHAM.**—The "Hingham Herald," published at Hingham, Mass., has the following account of the Macreel fishery of Hingham, Mass., in 1890:

**FOUNDINGS.**—If people will leave small animals parcels about in "spots" we would recommen

them to accompany the package as in the following statement, an account of which we find in the Rochester Democrat:

PARMA, NOV. 16th.

"MR. DAWSON—As one of the Overseers of the poor of this town, I was called upon to take charge of a babe left at the door of William Shuart. Upon opening I found it contained a female child from four to six months old. With it was a note containing ten dollars. I have taken charge of the infant for a few days, in hopes the parents may repent of their unnatural conduct and claim the child."

**THE NAVIGATION.**—A cold nor-wester to-day b tokens the near approach of winter. The canal with such weather, will speedily close. They have done the State good service during the past season, and the is but little freight shipping on its way to tide-water. The receipts at the Collector's office in this city dur

the season, have amounted, as we learn from the *Argo* to \$383,677 91. Last year the receipts were \$374,496 80 increase for 1844, \$79,082 61.—*Albany Journal*, Nov. 25.